

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named  
Inventor : Vinay Deo

Appln. No.: 09/764,794

Filed : January 17, 2001

For : A SYSTEM FOR BROADCASTING TO,  
AND PROGRAMMING, A MOBILE  
DEVICE IN A PROTOCOL, DEVICE  
AND NETWORK INDEPENDENT  
FASHION

Docket No.: M61.12-0685

Group Art Unit: 2134

Examiner: Michael J.  
Simitoski

**RECEIVED**

OCT 20 2004

Technology Center 2100

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION (37 CFR § 1.321(b))**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS BEING  
SENT BY U.S. MAIL, FIRST CLASS, TO THE  
COMMISSIONER FOR PATENTS, P.O. BOX 1450,  
ALEXANDRIA, VA 22313-1450, THIS

12<sup>th</sup> DAY OF October, 2004

*Theresa V. V. V.*  
PATENT ATTORNEY

Sir:

**Interest of Person Making This Disclaimer**

We represent that we are

- ☐ an inventor of this invention.
- ☐ an assignee of this invention.
- ☐ a representative authorized to sign on behalf  
of the assignee of this invention.
- ☒ an attorney of record for this application.

**Identity of Assignee and Title of Disclaimant (If Applicable)**

The assignee is Microsoft Corporation, One Microsoft  
Way, Redmond, WA 98052. The title of the Disclaimant is ---, and  
the Disclaimant is authorized to sign on behalf of Assignee.

**Extent of Interest**

The extent of our interest is in

- ☒ the whole of this invention.
- ☐ a sectional interest in this invention as  
follows: .

**Disclaimer**

We hereby disclaim the term of any patent granted on the above-identified application subsequent to

☒ the full term of United States Patent No. 6,496,928 as presently shortened by any terminal disclaimer,

or

☐ the term of any patent granted on application number \_\_\_,

and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to

☒ United States Patent No. 6,496,928, and

☐ any patent granted on application number \_\_\_, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

We do not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of

☒ United States Patent No. 6,496,928, as presently shortened by any terminal disclaimer, and

☐ any patent granted on application number \_\_\_,

in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

**MICROSOFT CORPORAION**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
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**Fee Status**

(37 CFR § 1.20(d))

- ☒ other than a small entity \$110.00  
☐ small entity status of this application under  
37 CFR §§ 1.9 and 1.27 is established by a  
verified statement . \$ 55.00

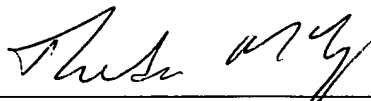
**Fee Payment**

- ☒ Attached is a check in the sum of \$110.00.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123. A duplicate copy of this communication is enclosed.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By:   
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JRK:slg